

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

RFA No.394 of 2016(O&M)
Date of decision: 08.08.2016

Bhim Singh (deceased) through his LRs

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sumit Gupta, Advocate for the appellants.
Ms. Safia Gupta, AAG, Haryana,
for respondents No.1 & 2
Ms. Chetna Rao, Advocate for respondent No.3-UOI.

ARUN PALLI J. (Oral)

CM-1012-CI-2016

Notice in the application for condonation of delay of 523 days in filing the accompanying appeal was issued to the respondents.

Ms. Safia Gupta, AAG, Haryana and Ms. Chetna Rao, Advocate has caused appearance on behalf of respondents No.1 & 2 and 3, respectively.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 27.02.2016, rendered by this court in RFA No.7705 of 2014 – Om Parkash and others v. State of Haryana and others, vide which this court had enhanced the compensation awarded to the landowners.

The factual position, as set out above, is not disputed by learned counsel for the respondents.

In the wake of the decision of the Hon'ble Supreme Court in Imrat Lal and others v. Land Acquisition Collector and others, 2015(2) RCR (Civil) 437 and Dhiraj Singh (D) Tr. LRs. v. Haryana State and others, 2015

(2) RCR (Civil) 507, delay of 523 days in filing the accompanying appeal is condoned. However, for the period of delay the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-1013-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the legal representatives of late Bhim Singh s/o Mohar Singh, as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

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For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this court in Om Parkash's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 523 days.

August 8, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO